IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 14TH SEPTEMBER 2007 / 23RD BHADRA 1929

OP.No. 6077 of 2002(W)

PETITIONER:

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1. K.B. GOPI, PRESIDENT, THRISSUR DISTRICT PETROLEUM EMPLOYEES' CO-OPERATIVE SOCIETY LTD., NO.R.795, M.G. ROAD, THRISSUR DISTRICT.

2. A.S. SHEEJA, SECRETARY, THRISSUR DISTRICT PETROLEUM EMPLOYEES' CO-OPERATIVE SOCIETY LTD.NO.R. 795, M.G.ROAD, THRISSUR DISTRICT.

BY ADV. SRI.PIRAPPANCODE V.SREEDHARAN NAIR
SRI.S.P.ARAVINDAKSHAN PILLAY
SRI.PIRAPPANCODE V.S.SUDHIR
SMT.RESMI G. NAIR

RESPONDENTS:

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1. BHARAT PETROLEUM CORORATION LTD., ERNAKULAM TERRITORY (RETAIL) OFFICE, DR.SALIM ALI ROAD, TATAPURAM P.O., ERNAKULAM, KOCHI-14, REPRESENTED BY ITS AREA MARKETING MANAGER (KERALA).

2. K.I. KUTTAPPAN, PORATHUR HOUSE, VAILOPPILLY NAGAR, NALLANGARA, P.O.NETISSERY, THRISSUR DISTRICT.

BY ADV. SRI.N.N.SUGUNAPALAN, SC.
SRI.BECHU KURIAN THOMAS

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 14/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON C.M.P.NOS. 10677/02 & 14655/02 IN O.P.NO.6077/02

Dismissed.

14-09-2007 Sd/-, KURIAN JOSEPH, JUDGE.

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1	TRUE COPY OF THE NOTIFICATION PUBLISHED IN THE MALAYALA MANORAMA DAILY DTD. 13-6-01 BY R1.
EXT.P2	TRUE COPY OF THE RELEVANT EXTRACT OF THE RULES OF THE THRISSUR DISTRICT PETROLEUM EMPLOYEES CO-OPERATIVE SOCIETY LTD. NO.R. 795
EXT.P3	TRUE COPY OF THE RELEVANT EXTRACT OF THE LETTER NO.T.M.E.COCO DTD. 23-2-01 OF R1.
EXT.P4	TRUE COPY OF THE APPLICATION SUBMITTED BY THE PETITIONERS BEFORE R1 DTD. 14-7-01
EXT.P5	TRUE COPY OF THE INTERVIEW MEMO DTD. 15-1-02
EXT.P6	TRUE COPY OF THE LIST OF SHORT LISTED CANDIDATES FOR THE BPC DEALERSHIP.

/True Copy/

PA to Judge.

KURIAN JOSEPH, J.

O.P. NO. 6077 OF 2002

Dated this the 14th day of September, 2007.

J U D G M E N T

Petitioners are aggrieved by Exhibit P6 list whereby the second respondent has been selected and ranked as No. 1 for being appointed as Retail Petrol/Diesel Dealer (Retail Outlet) at Ollur.

2. It is seen from the counter affidavit filed on behalf of the first respondent that due selection was conducted in which second respondent was ranked as No. 1. It is also submitted that the selection was conducted by the Dealer Selection Board as per the guidelines. The Dealer Selection Board is not on the party array. That apart it is seen that for the last more than three years, the second respondent has been conducting the outlet and therefore, it is not necessary to unsettle the settled position at this distance of time.

This original petition is dismissed.

KURIAN JOSEPH, JUDGE.

smp

KURIAN JOSEPH, J.

O.P. NO. 6077 OF 2002

J U D G M E N T

14.09.2007